

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBOCAST INC., :
: :
Plaintiff, :
: :
v. : Civil Action No. 10-1055-RGA
: :
MICROSOFT CORPORATION, :
: :
Defendant. :
:

ORDER AFTER PRETRIAL CONFERENCE

Now, this 4th day of March, 2014, after a pretrial conference, and upon consideration of the proposed pretrial order and the discussion at the pretrial conference, **IT IS HEREBY ORDERED** that:

1. The Proposed Pretrial Order is **ADOPTED** as modified by any discussion at the pretrial conference.
2. A jury trial will begin on March 10, 2014 at 9:30 a.m. with jury selection. Each party should be prepared to present its case until 5:00 p.m. of each trial day, although the end of the trial day may, in the discretion of the Court, be earlier than 5:00 p.m.
3. The trial is timed. Each side is allowed **thirteen (13)** hours for its opening statement and its direct and cross-examination of witnesses. Time during the trial day that does not neatly fit into one of those categories will be attributed to one side or the other as the Court thinks most appropriate. The amount of time allowed for closing argument will be decided during trial.
4. Trial counsel are to be present and ready to proceed at 9:00 a.m. each and every day of trial. **COUNSEL SHOULD UNDERSTAND THAT THERE MAY BE LONG LINES (PARTICULARLY WHEN A JURY IS BEING SELECTED) TO ENTER THE**

COURTHOUSE AND SHOULD PLAN ACCORDINGLY. Issues that need to be addressed outside the presence of the jury will be taken up at 9 a.m. and at the end of the day. There will be an hour for lunch and a fifteen-minute break in both the morning and the afternoon. The Court does not generally want to use the lunch and break time to take up issues that need to be addressed outside the presence of the jury.

5. Unless otherwise ordered, Plaintiff is responsible for the preparation and revising of the jury instructions and verdict form that will be given to the jury. The Court expects to give the bulk of the jury instructions before the closing arguments are made.

6. Plaintiff's Motion in Limine #1 is **DISMISSED AS MOOT** as stated at the pretrial conference. Plaintiff's Motion in Limine #2 is **UNRESOLVED** as stated at the pretrial conference. Plaintiff's Motion in Limine #3 is **RESOLVED** as stated at the pretrial conference. Plaintiff's Motions in Limine #4 and 5 are **UNRESOLVED** as stated at the pretrial conference. Defendant's Motion in Limine #1 is **POSTPONED** as stated at the pretrial conference. Defendant's Motion in Limine #2 is **UNRESOLVED** as stated at the pretrial conference. Defendant's Motion in Limine #3 is **RESOLVED IN PART** as stated at the pretrial conference. Defendant's Motion in Limine #4 is **POSTPONED** as stated at the pretrial conference. A written order addressing the unresolved and postponed issues will follow.

7. Any trial logistics should be coordinated through the Courtroom Deputy.



United States District Judge